

IN THE CLAIMS

1. (withdrawn) A portable communications device for use in identifying and purchasing a full audio work based on a sampled portion of the work comprising:

(a) an input for receiving a signal corresponding to a sampled portion of a full audio work;

(b) a memory for storing the sampled portion signal;

(c) a communications module for communicating with an audio recognition service and an audio purchasing service;

(d) an input device for accepting user commands;

(e) an interface for communicating information to a user of the device; and

(f) a processor, which, in response to user commands, is operative to (i) record and store in said memory the sampled portion signal and (ii) control said communications module to (A) upload at least a portion of the sampled portion signal to said audio recognition service identifying the full audio work based on the sampled portion signal, (B) enable the device to receive identification information about the identity of the full audio work and purchasing information for enabling the purchase of the full audio work, and (C) send a purchase message to the audio purchasing service in response to said purchasing information to enable the purchase of the full audio work.

2. (withdrawn) The portable communications device as claimed in claim 1, wherein said input includes a microphone for recording the sampled portion signal.

3. (withdrawn) The portable communications device as claimed in claim 1, wherein said input receives the sampled portion signal via a cable or wireless transmission.

4. (withdrawn) The portable communications device as claimed in claim 1, wherein said input, memory, communications module, input device, interface and processor are incorporated into a cellular phone.

5. (withdrawn) The portable communications device as claimed in claim 1, wherein said input, memory, communications module, input device, interface and processor are incorporated into a PDA.

6. (withdrawn) The portable communications device as claimed in claim 1, wherein said identification information includes at least the title and artist of the work.

7. (withdrawn) The portable communications device as claimed in claim 6, wherein said identification information includes additional related information about the audio work.

8. (withdrawn) The portable communications device as claimed in claim 7, wherein said additional related information includes one or more of the name of the artist of the audio work, information about the artist, a listing of CDs containing the audio work and the date of release of the audio work.

9. (withdrawn) The portable communications device as claimed in claim 1, wherein said audio recognition service and audio purchasing service are provided by a single service.

10. (withdrawn) The portable communications device as claimed in claim 9, wherein said identification information and said purchasing information are received by the portable communications device from a single transmission.

11. (withdrawn) The portable communications device as claimed in claim 9, wherein said identification information and said purchasing information are received by the portable communications device from separate transmissions.

12. (withdrawn) The portable communications device as claimed in claim 1, wherein said user interface comprises a display screen.

13. (withdrawn) The portable communications device as claimed in claim 1, wherein said user interface comprises a speech module operation to convey verbal information to a user.

14. (withdrawn) A method of identifying and purchasing a full audio work based on a sampled portion of the work comprising:

(a) providing a portable communications device including a memory and an interface for communicating information to a user of the device;

(b) recording and storing a signal corresponding to a sampled portion of a full audio work into said memory of said portable communications device;

(c) uploading at least a portion of the stored sampled portion signal to an audio recognition service which in turn identifies the full audio work based on the sampled portion signal;

(d) receiving at said device identification information about the identity of the full audio work from the audio recognition service and purchasing information for enabling the purchase of the full audio work from an audio purchasing service;

(e) identifying to the user through said interface (i) said identification information and (ii) said purchasing information; and

(f) sending a purchase message from said device to the audio purchasing service, in response to said purchasing information, to enable the user to purchase the full audio work.

15. (withdrawn) A method of identifying and purchasing a full audio work based on a sampled portion of the work comprising:

(a) providing a portable communications device;

(b) recording and storing a signal corresponding to a sampled portion of a full audio work into said portable communications device;

(c) identifying a full audio work based on the sampled portion signal and providing purchasing information associated with the full audio work;

(d) indicating to a user said identification information and said purchasing information; and

(e) using said purchasing information to automatically purchase the full audio work.

16. (withdrawn) A portable communications device for use in identifying and purchasing a full audio work based on a sampled portion of the work comprising:

(a) an input for receiving a signal corresponding to a sampled portion of a full audio work;

(b) a memory;

(c) a communications module for communicating with an audio recognition service;

(d) an interface for communicating information to a user of the device; and

(e) a processor operative to (i) record and store in said memory the sampled portion signal, (ii) upload at least a portion of the sampled portion signal to said audio recognition service identifying the full audio work based on the sampled portion signal, (iii) enable the device to receive and indicate to a user of the device via said interface the identity of the full audio work and purchasing information for enabling the purchase of the full audio work.

17. (withdrawn) The portable communications device as claimed in claim 16, wherein said processor is further operative to send a purchase message to an audio purchasing service in response to said purchasing information to enable the user to purchase the full audio work.

18. (currently amended) A portable communications device for use in identifying and purchasing a full audio work based on a sampled portion of the work, comprising:

~~(a)~~an input for receiving a signal corresponding to a sampled portion of a full audio work;

~~(b)~~a database ~~of~~ operative to store therein audio work comparison information for use in identifying full audio works;

~~(c)~~~~an interface for communicating information to a user of the device;~~

~~(d)~~~~a communications module for communicating with an audio purchasing service; and~~

~~(e)~~a processor operative to ~~(i)~~ compare the sampled portion signal against said comparison information to identify the full audio work corresponding to the sampled portion signal, ~~and~~ ~~(ii)~~to indicate to a user of the portable device the identity of the full audio work, and to present purchasing information for enabling the that enables the user to purchase of the full audio work ~~to the user via said interface.~~

19. (original) The portable communications device as claimed in claim 18, wherein said processor is further operative to send a purchase message to an audio purchasing service based on said purchasing information to enable the purchase the full audio work.

20. (original) The portable communications device as claimed in claim 19, wherein said purchasing information comprises a link to a Web site portal of said audio purchasing service.

21. (original) The portable communications device as claimed in claim 20, wherein said link includes embedded information including the identity of the full audio work and information about the user.

22. (currently amended) A portable communications device for use in identifying and purchasing a full audio work based on a sampled portion of the work, comprising:

an input for receiving a signal corresponding to a sampled portion of a full audio work;

a database ~~of~~ operative to store therein audio work comparison information for use in identifying full audio works, wherein said ~~database of~~ audio work comparison information is updateable;

~~an interface for communicating information to a user of the device;~~

~~a communications module for communicating with an audio purchasing service; and~~

a processor operative to ~~(i)~~ compare the sampled portion signal against said comparison information to identify the full audio work corresponding to the sampled portion signal,

~~and (ii) to~~ indicate to a user of the portable device the identity of the full audio work, and to present purchasing information ~~for enabling the that enables the user to purchase of the full audio work to the user via said interface.~~

23. (currently amended) The portable communications device as claimed in claim 22, further comprising a communications module, and wherein said database is updateable via said communications module.

24. (currently amended) The portable communications device as claimed in claim 22, wherein said database is provided in a removable memory device to allow updating ~~of said database~~ of said audio work comparison information.

25. (original) The portable communications device as claimed in claim 18, further comprising a display screen to display the identity of the full audio work and purchasing information to the user.

26. (currently amended) A portable communications device for use in identifying and purchasing a full audio work based on a sampled portion of the work, comprising:

an input for receiving a signal corresponding to a sampled portion of a full audio work;

a database ~~of~~ operative to store therein audio work comparison information for use in identifying full audio works;

~~an interface for communicating information to a user of the device;~~

~~a communications module for communicating with an audio purchasing service;~~

a speech module operative to convey verbal information about the identity of the full audio work and purchasing information to ~~the~~ a user; and

a processor operative to ~~(i)~~ compare the sampled portion signal against said comparison information to identify the full audio work corresponding to the sampled portion signal, and ~~(ii)~~ to indicate to a ~~the~~ user of the portable device the identity of the full audio work, and to present purchasing information for enabling the ~~that enables the user to purchase of the full audio work to the user via said interface.~~

27. (withdrawn) A system for identifying and purchasing a full audio work based on a sampled portion of the work comprising:

(a) an audio recognition system for identifying a full audio work based on a sampled portion of the full audio work;

(b) an audio purchasing system for enabling the purchase of full audio works; and

(c) a portable communications device comprising:

i. an interface for communicating information to a user of the device,

ii. an input for receiving a signal corresponding to the sampled portion of the full audio work,

iii. a memory for storing the sampled portion signal,

iv. a communications module for communicating with said audio recognition and purchasing systems,

v. an input device for accepting user commands, and

vi. a processor, which, in response to user commands, is operative to (A) record and store in said memory the sampled portion signal and (B) control said communications module to (1) upload at least a portion of the sampled portion signal to said audio recognition system, (2) enable said device to receive

information about the identity of the full audio work and purchasing information for enabling the purchase of the full audio work, and (3) send a purchase message to said audio purchasing system in response to said purchasing information to enable purchase of the full audio work.

28. (withdrawn) A portable communications device for use in identifying and purchasing a full audio work based on a sampled portion of the work comprising:

(a) an input for receiving a signal corresponding to a sampled portion of a full audio work;

(b) a memory for storing the sampled portion signal;

(c) a communications module for communicating with an audio recognition service and an audio purchasing service;

(d) an input device for accepting user commands;

(e) an interface for communicating information to a user of the device; and

(f) a processor, which, in response to user commands, is operative to (i) record and store in said memory the sampled portion signal, (ii) control said communications module to download a database of audio work comparison information from said audio recognition service for use in identifying full audio works, (iii) perform a comparison routine to compare at least a portion of the sampled portion signal to said database of audio work comparison information to identify the full audio work based on the sampled portion signal, (iv) enable the device to communicate to the user through said interface identification information about the identity of the full audio work and purchasing information to enable purchase of the full audio work, and (v) send a purchase message to an audio purchasing service in response to said purchasing information to enable purchase of the full audio work.

29. (withdrawn) The portable communications device as claimed in claim 28, wherein said processor is further operative to upload at least a portion of the sampled portion signal to an audio recognition service which in turn identifies the full audio work based on the sampled portion signal.

30. (withdrawn) The portable communications device as claimed in claim 28, wherein said input includes a microphone for recording the sampled portion signal.

31. (withdrawn) The portable communications device as claimed in claim 28, wherein said input receives the sampled portion signal via a cable or wireless transmission.

32. (withdrawn) The portable communications device as claimed in claim 28, wherein said input, memory, communications module, input device, interface and processor are incorporated into a cellular phone.

33. (withdrawn) The portable communications device as claimed in claim 28, wherein said input, memory, communications module, input device, interface and processor are incorporated into a PDA.

34. (withdrawn) The portable communications device as claimed in claim 28, wherein said identification information further includes additional related information about the audio work in addition to the title and artist of the work.

35. (withdrawn) The portable communications device as claimed in claim 34, wherein said additional related information includes one or more of the name of the artist of the audio work, information about the artist, a listing of CDs

containing the audio work and the date of release of the audio work.

36. (withdrawn) The portable communications device as claimed in claim 28, wherein said audio recognition service and audio purchasing service are provided by a single service.

37. (withdrawn) The portable communications device as claimed in claim 29, wherein said identification information and said purchasing information are received by the portable communications device from a single transmission.

38. (withdrawn) The portable communications device as claimed in claim 29, wherein said identification information and said purchasing information are received by the portable communications device from separate transmissions.

39. (withdrawn) A method of identifying and purchasing a full audio work based on a sampled portion of the work comprising:

- (a) providing a portable communications device;
- (b) recording and storing a signal corresponding to a sampled portion of a full audio work into said portable communications device;
- (c) downloading a database of audio work comparison information into said portable communications device for use in identifying full audio works;
- (d) comparing at least a portion of the sampled portion signal to said database of audio work comparison information to identify the full audio work based on the sampled portion signal;
- (e) identifying purchasing information associated with the full audio work; and

(f) indicating to a user said identification information and said purchasing information.

40. (withdrawn) A portable communications device for use in identifying and purchasing a full audio work based on a sampled portion of the work comprising:

(a) means for receiving a signal corresponding to a sampled portion of full audio work;

(b) means for storing the sampled portion signal;

(c) means for communicating with an audio recognition service and an audio purchasing service;

(d) means for accepting user commands;

(e) means for communicating information to a user of the device; and

(f) processor means for (i) recording and storing in said device the sampled portion signal; (ii) uploading at least a portion of the sampled portion signal to said audio recognition service for identifying the full audio work based on the sampled signal portion; (iii) enabling the device to receive and communicate to the user identification information about the identity of the full audio work and purchasing information for enabling purchase of the full audio work; and (iv) sending a purchase message to the audio purchasing service in response to said purchasing information to enable the purchase of the full audio work.

41. (withdrawn) A portable communications device for use in identifying and purchasing a full audio work based on a sampled portion of the work comprising:

(a) means for receiving a signal corresponding to a sampled portion of a full audio work;

(b) means for storing the sampled portion signal;

(c) means for communicating with an audio recognition service and an audio purchasing service;

(d) means for accepting user commands;

(e) means for communicating information to a user of the device; and

(f) processor means for (i) recording and storing in said device the sampled portion signal; (ii) downloading a database of audio work comparison information from said audio recognition service for identifying full audio works; (iii) comparing at least a portion of the sampled portion signal to said database of audio work comparison information to identify the full audio work based on the sampled portion signal; (iv) communicating to the user identification information about the identity of the full audio work and purchasing information to enable purchase of the full audio work; and (v) sending a purchase message to an audio purchasing service in response to said purchasing information to enable purchase of the full audio work.

42. (new) The portable communications device as claimed in claim 18, wherein said input, said database, and said processor are incorporated into a personal digital assistant or a cellular telephone.

43. (new) The portable communications device as claimed in claim 42, wherein the audio work comparison information storable in said database includes information representative of a plurality of full audio works.

44. (new) The portable communications device as claimed in claim 22, wherein said input, said database, and said processor are incorporated into a personal digital assistant or a cellular telephone.

45. (new) The portable communications device as claimed in claim 44, wherein the audio work comparison information storable in said database includes information representative of a plurality of full audio works.

46. (new) The portable communications device as claimed in claim 26, wherein said input, said database, said speech module, and said processor are incorporated into a personal digital assistant or a cellular telephone.

47. (new) The portable communications device as claimed in claim 46, wherein the audio work comparison information storable in said database includes information representative of a plurality of full audio works.